

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

In Re:	:	Bankruptcy No. 5:21-bk-00292-RNO
Teyon Barry and Tywanda T Reuben	:	Chapter 13
Debtors	:	
	:	
Carvana, LLC	:	
Movant	:	
vs.	:	
Teyon Barry and Tywanda T Reuben	:	
Debtors/Respondents	:	
and	:	
Charles J DeHart, III, Esquire	:	
Trustee/Respondent	:	

OBJECTION TO CONFIRMATION OF THE PLAN

Carvana, LLC (“Movant”), by its attorneys, Hladik, Onorato & Federman, LLP, objects to confirmation of the Chapter 13 Plan of Debtors, Teyon Barry and Tywanda T Reuben (“Debtors”), as follows:

1. As of the bankruptcy filing date of February 15, 2021, Movant holds a secured Claim against Debtors’ Vehicle, a 2019 Jeep Compass, VIN #3C4NJDCB3KT753437 (the “Vehicle”).
2. On February 19, 2021, Movant filed Proof of Claim citing a total secured claim in the amount of \$18,960.51 with an interest rate of 16.68%.
3. The Plan does not list Movant’s secured Claim.
4. The Plan violates of 11 USC § 1325(a)(5)(B)(ii) by not providing for Movant to receive the full value of its claim, as the debt was incurred on February 27, 2020, which is within 910 days of the filing of the instant bankruptcy.
5. Any attempt by the Debtors to modify any portion of this Contract with Movant should be denied.

6. Movant objects to the feasibility of the Plan under 11 U.S.C. § 1325(a)(6). The Plan proposed by Debtors is not feasible. Movant requests that the bankruptcy case either be converted to a Chapter 7 or be dismissed pursuant to 11 U.S.C. § 1307.

WHEREFORE, Movant respectfully requests that this Honorable Court deny confirmation of the Debtors' Chapter 13 Plan.

Respectfully submitted,

Dated: 03/02/2021

/s / Bradley J. Osborne, Esquire
Bradley J. Osborne, Esquire
Hladik, Onorato & Federman, LLP
Attorney I.D. # 312169
298 Wissahickon Avenue
North Wales, PA 19454
Phone 215-855-9521
Email: bosborne@hoflawgroup.com

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**CERTIFICATE OF MAILING OF OBJECTION TO THE PROPOSED
PLAN TO PARTIES IN INTEREST**

I, Bradley J. Osborne, Esquire, attorney for Carvana, LLC (“Movant”), certify that I served a copy of the attached Objection to the Plan to the parties below on 03/02/2021:

Timothy B. Fisher, II, Esquire
Via ECF
Attorney for Debtors

Charles J DeHart, III, Esquire
Via ECF
Trustee

Teyon Barry
Tywanda T Reuben
2769 Tacoma Drive
Blakeslee, PA 18610
Via First Class Mail
Debtors

Date: 03/02/2021

Respectfully Submitted,
/s / Bradley J. Osborne, Esquire
Bradley J. Osborne, Esquire
Hladik, Onorato & Federman, LLP
Attorney I.D. # 312169
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ORDER

Upon consideration of Carvana, LLC's Objection to Confirmation of the proposed Plan, and having heard the argument of counsel and for good cause having been shown;

It is on this _____ day of _____, 2021 ORDERED that the Confirmation is DENIED.

BY THE COURT:

Honorable Robert N. Opel II
United States Bankruptcy Judge